

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HANNA BOUVENG,

AFFIDAVIT

Plaintiff,

-against-

Docket No.: 14 CIV. 5474
(PGG)

NYG CAPITAL LLC d/b/a NEW YORK GLOBAL
GROUP, NYG CAPITAL LLC d/b/a FNL MEDIA
LLC, and BENJAMIN WEY,

Defendants.

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I, HANNA BOUVENG, declare the following to be true and correct under penalty of perjury subject to the laws of the State of New York:

1. I am the Plaintiff in the above-entitled matter. I submit this affidavit in response to the Order to Show Cause of Magistrate Judge James L. Cott dated November 13, 2017.
2. On Thursday, November 9, 2017 I spoke to my attorneys, Morelli Law Firm, PLLC, regarding the settlement conference that was scheduled for November 13, 2017.
3. During that conversation we discussed, among other things, our joint goals for the settlement conference. At the conclusion of that conversation, my attorneys and I were in complete agreement on how to proceed.
4. It was my understanding that I would be participating in the settlement conference via telephone while present in New York City. My attorneys informed me that I could use an office and telephone at their law firm throughout the duration of the settlement conference. My intention, had the settlement conference gone forward, was to participate via phone from the office of Morelli Law Firm, PLLC.

5. On Friday, November 10, 2017, my attorneys contacted me and informed me that, based on the unexpected actions that afternoon of the Defendants' new attorneys, they no longer believed that the Defendants would be participating in the settlement conference in good faith and, therefore, they no longer believed it was in my best interests to participate in the upcoming settlement conference.
6. At that time, my attorneys also informed me that they had already informed the Defendants and the Magistrate Judge that we no longer wished to move forward with the settlement conference due to the change in circumstances.
7. My lawyers had previously informed me that the purpose of this settlement conference was to reach a global settlement. It was my understanding that this would include settlement of the claims underlying my Amended Judgment, which has remained unpaid for over two years, and settlement of the pending breach of contract claim. It was never my intention, nor the advice of my attorneys, to settle this case piecemeal.
8. Therefore, based on all of the above, I agreed to follow the advice of my attorneys and cancel the previously scheduled settlement conference.
9. Notwithstanding the foregoing, on November 13, 2017, I was physically present in New York City in order to participate in the settlement conference.
10. I declare under penalty of perjury that the foregoing is true and correct.

Dated: NEW YORK, NEW YORK
November 16, 2017



HANNA BOUVENG